

ARTICLE IV ADMINISTRATIVE PROVISIONS

Section IV-1 General Procedure for Plat Approval

After the effective date of this ordinance January 19, 1999, no subdivision plat of land within the County's jurisdiction shall be filed or recorded until it has been submitted to and approved by the Brunswick County Planning Director or Planning Board, as set forth in Chapter 3 of this ordinance, and until this approval appears on the face of the plat.

Section IV-2 Statement By Owner

The owner of land shown on a subdivision plat submitted for recordation, or his authorized agent, shall sign a statement on the plat stating whether or not any land shown thereon is within the Subdivision Regulation jurisdiction of Brunswick County.

Section IV-3 Effect of Plat Approval on Dedications

Pursuant to G.S. 153A-333, the approval of a plat does not constitute or affect the acceptance by the County or the public of a dedication of any street or other ground, public utility line, or other public facility shown on the plat and shall not be construed to do so.

Section IV-4 Penalties For Violation

- 4.1 After the effective date of this ordinance, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this ordinance, thereafter subdivides his land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this ordinance shall be guilty of a misdemeanor. The description of metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The County, through its attorney or other official designated by the Board of Commissioners, may enjoin illegal subdivision, transfer, or sale of land by action for injunction. Further, the violation of any provision of this ordinance shall subject the offender to the penalties prescribed by G.S. 153A-334. Rev. 02/06/06
- 4.2 Violators of this ordinance shall be subject, upon conviction, to fine as provided by G.S. 14-4.

Section IV-5 Exceptions to Subdivision Regulations

The Brunswick County Planning Board may authorize exceptions from these regulations for major and minor plats when, in its opinion, undue hardship may result from strict compliance. In granting any exceptions, the Board shall make the findings required below, taking into account the nature of the proposed subdivision, and the probable effect of the

proposed subdivision upon traffic conditions in the vicinity. No exception shall be granted unless the Board finds all of the following:

- A. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land.
- B. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- C. That the circumstances giving rise to the need for the exception are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction.

Section IV-6 Amendments

The Brunswick County Board of Commissioners may from time to time amend the terms of this ordinance but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation.

No amendment shall be adopted by the governing body until they have held a public hearing on the amendment. Notice of the public hearing shall be published in a newspaper of general circulation in Brunswick County at least once a week for two (2) successive calendar weeks prior to the hearing. The initial notice shall be published the first time not less than ten (10) days nor more than twenty-five (25) days before the date fixed for the hearing. In computing such period, the day of publication is not to be included, but the date of the hearing shall be included.